



## CITY OF LODI COUNCIL COMMUNICATION

**AGENDA TITLE:** Approve Minutes  
a) June 3, 2008 (Shirtsleeve Session)  
b) June 4, 2008 (Regular Meeting)  
c) June 10, 2008 (Shirtsleeve Session)

**MEETING DATE:** June 18, 2008

**PREPARED BY:** City Clerk

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**RECOMMENDED ACTION:** Approve the following minutes as prepared:

- a) June 3, 2008 (Shirtsleeve Session)
- b) June 4, 2008 (Regular Meeting)
- c) June 10, 2008 (Shirtsleeve Session)

**BACKGROUND INFORMATION:** Attached are copies of the subject minutes, marked Exhibits A through C.

**FISCAL IMPACT:** None.

**FUNDING AVAILABLE:** None required.

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Randi Johl  
City Clerk

RJ/JMP  
Attachments

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**APPROVED:** \_\_\_\_\_  
Blair King, City Manager

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, JUNE 3, 2008**

An Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was held Tuesday, June 3, 2008, commencing at 7:03 a.m.

**A. ROLL CALL**

Present: Council Members – Hitchcock, Hansen, Johnson, Katzakian, and Mayor Mounce

Absent: Council Members – None

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**B. TOPIC(S)**

B-1 "Presentation Regarding Community Development Block Grant Entitlement Process"

City Manager King briefly introduced the subject matter of the Community Development Block Grant (CDBG) entitlement process.

Community Improvement Manager Joseph Wood provided a PowerPoint presentation regarding the CDBG entitlement process. He discussed specific topics including a general overview of the process, issues for consideration for CDBG funds, issues for consideration for HOME funds, HOME fund options consortium, state of the California HOME program, issues for consideration with program income, and a proposed calendar.

In response to Council Member Hitchcock, Mr. Wood stated the \$800,000 figure is the average of all cities within our population range and the City of Lodi should receive that amount as well.

In response to Mayor Pro Tempore Hansen, Mr. Wood stated the City would receive at least the 6% amount currently taken by the County for administration purposes.

In response to Mayor Mounce, Mr. Wood stated the City would receive the allocation directly and take the 20% for administration of the program.

In response to Mayor Mounce, Mr. Wood stated the City currently performs some of the tasks already and has the resources to administer the program directly.

In response to Council Member Johnson, Mr. Wood stated the \$160,000 figure would cover the administration of the down payment assistance and loan program, which would be something new.

In response to Council Member Hitchcock, Mr. King stated staff is not directly making a case for one way or another but would like to present the Council with the pros and cons for both sides.

In response to Mayor Pro Tempore Hansen, Mr. Wood stated the process would include establishing the City as an entitlement city for CDBG and participating in a consortium with the State with greater funding opportunities for the HOME program. He stated the down payment assistance funds are usually spent within the first three months of the program year, the city of Stockton is its own entitlement city for both CDBG and HOME, and the City of Lodi would be the only entitlement city in the County to have its own CDBG program and go through the State for the HOME program.

In response to Mayor Pro Tempore Hansen, Mr. King provided a brief overview of the history of Department of Housing and Urban Development (HUD), the CDBG program, the consortium process, available funding options, the County process versus the State process, and the competitive nature of the consortium process whereby some years may generate larger funding amounts while others generate none.

In response to Mayor Pro Tempore Hansen and Mayor Mounce, Mr. Wood confirmed that the State's CDBG program has been in place since the 1970s, the HOME program has been in place since the 1990s, and, although the program is pretty solid, there may be cuts when the federal budget is tight.

In response to Council Member Hitchcock, Mr. Wood confirmed that, while the City cannot currently compete with other cities in the HOME program for larger amounts and with the new program, the City would receive approximately \$800,000 for CDBG and an opportunity to compete with other cities for a larger amount in HOME program funding.

In response to Mayor Mounce, Mr. Wood stated each agreement is for a three-year period without opt-out provisions. He stated he did not recall the matter being considered a few years ago.

In response to Mayor Mounce, Mayor Pro Tempore Hansen stated he does anticipate a significant impact with the San Joaquin Council of Governments and the One Voice trip if the City was to become an entitlement city because the lobbying efforts focus on the program as a whole rather than individual city funding.

In response to Council Member Johnson, Mr. Wood stated the annual allocation is the amount expected from HUD in order to provide a clearer read of the numbers for the current year and future numbers may vary based on future budgets.

Discussion ensued between Council Member Hitchcock, Mr. King, and Mr. Wood regarding a possible recommendation of going with the State versus the County at the June 18 City Council meeting, City numbers being determined by last census statistics, the County losing money spread out over various cities, and options with HOME program funding.

In response to Council Member Hitchcock, Mr. King stated HOME program funding was used for the Loel Center one year and to provide down payment assistance on other years.

In response to Council Member Hitchcock, Mr. King confirmed that the CDBG funds would be somewhat guaranteed while the HOME program funds would not be.

In response to Mayor Pro Tempore Hansen, Mr. Wood stated there may be some question as to whether the County is willing to transfer program income for the down payment and housing rehabilitation assistance that is already in existence. He stated going through the State may allow for a larger amount to be put into the community and eventually back in to the program as income.

In response to Mayor Mounce, Mr. Wood stated staff will provide the numbers with respect to how much program income would be lost if the County said no to the request.

In response to Council Member Katzakian, Mr. Wood stated affordable housing options could become more competitive for the City because there would be funding available for City participation with interested developers.

In response to Council Member Katzakian, Mr. Wood stated an application would have to reference a specific project and the strength of the project would be used to show competitiveness.

Council Member Hitchcock requested data on other communities that use the State HOME program and related funding availability and awards over a five- to ten-year period.

A brief discussion ensued between Mayor Mounce and Mayor Pro Tempore Hansen regarding poverty levels in the City and how they are related to competition for the HOME program.

Mayor Mounce requested a list of possible affordable housing options and site locations.

In response to Council Member Johnson, Mr. King stated some counties and cities do not have the ability to participate in a consortium and therefore the State program is a more viable option.

In response to Mayor Mounce, Mr. Wood confirmed that there is no other city in San Joaquin County other than Stockton that participates as an entitlement city.

In response to Mr. King, Mr. Wood stated the most active use of the HOME program currently is down payment assistance and few applications have been received for housing rehabilitation.

**C. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS**

In response to Council Member Johnson and Mayor Mounce, City Attorney Schwabauer stated the subject matter of Council interest and participation in the labor negotiation process will be brought forth for Council discussion and consideration at a future agenda meeting.

**D. ADJOURNMENT**

No action was taken by the City Council. The meeting was adjourned at 7:52 a.m.

ATTEST:

Randi Johl  
City Clerk

**LODI CITY COUNCIL  
REGULAR CITY COUNCIL MEETING  
CARNEGIE FORUM, 305 WEST PINE STREET  
WEDNESDAY, JUNE 4, 2008**

**C-1     CALL TO ORDER / ROLL CALL**

The City Council Closed Session meeting of June 4, 2008, was called to order by Mayor Pro Tempore Hansen at 6:30 p.m.

Present: Council Members – Hansen, Hitchcock, and Katzakian

Absent: Council Members – Johnson and Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**C-2     ANNOUNCEMENT OF CLOSED SESSION**

a) Actual Litigation: Government Code §54956.9(a); One Case; Garza v. City of Lodi, et al., San Joaquin County Superior Court, Case No. CV026299

b) Actual Litigation: Government Code §54956.9; Calvin Wadlow v. City of Lodi; WCAB Case Number STK0189440– 1/30/2003 and 4/18/2003

**C-3     ADJOURN TO CLOSED SESSION**

At 6:30 p.m., Mayor Pro Tempore Hansen adjourned the meeting to a Closed Session to discuss the above matters.

The Closed Session adjourned at 6:55 p.m.

**C-4     RETURN TO OPEN SESSION / DISCLOSURE OF ACTION**

At 7:03 p.m., Mayor Pro Tempore Hansen reconvened the City Council meeting, and City Attorney Schwabauer disclosed the following actions.

Item C-2 (a) was discussion only.

In regard to Item C-2 (b), settlement direction was given.

**A.     CALL TO ORDER / ROLL CALL**

The Regular City Council meeting of June 4, 2008, was called to order by Mayor Pro Tempore Hansen at 7:03 p.m.

Present: Council Members – Hansen, Hitchcock, and Katzakian

Absent: Council Members – Johnson and Mayor Mounce

Also Present: City Manager King, City Attorney Schwabauer, and City Clerk Johl

**B.     INVOCATION**

The invocation was given by Pastor Bill Cummins, Bear Creek Community Church.

**C.     PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Mayor Mounce.

**D.     AWARDS / PROCLAMATIONS / PRESENTATIONS**

D-1 Awards – None

D-2 (a) Mayor Pro Tempore Hansen presented a proclamation to Sergeant 1st Class Timberlake Pierce, Lodi Recruiting Station Commander, and Captain Noah Jefferson, San Joaquin Recruiting Company Commander, proclaiming the week of June 9 – 15, 2008, as “United States Army Week” in the City of Lodi.

D-2 (b) Mayor Pro Tempore Hansen presented a proclamation to Paul Botello, Lead Equipment Mechanic, proclaiming the week of June 9 – 15, 2008, as “National Automotive Service Professionals Week” in the City of Lodi.

D-3 Presentations – None

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E. CONSENT CALENDAR

In accordance with the report and recommendation of the City Manager, Council, on motion of Council Member Hitchcock, Katzakian second, approved the following items hereinafter set forth by the vote shown below:

Ayes: Council Members – Hitchcock, Katzakian, Mayor Pro Tempore Hansen

Noes: Council Members – None

Absent: Council Members – Johnson and Mayor Mounce

E-1 Claims were approved in the amount of \$8,177,818.71.

E-2 The minutes of April 16, 2008 (Regular Meeting), May 7, 2008 (Regular Meeting), May 20, 2008 (Shirtsleeve Session), May 27, 2008 (Shirtsleeve Session), and May 28, 2008 (Special Joint Meeting w/Redevelopment Agency) were approved as written.

E-3 Adopted Resolution No. 2008-100 awarding the contract for asphalt materials for fiscal year 2008-09 to Granite Construction Company, of Stockton, in the amount of \$225,198 and as detailed below:

Item A.	2,000 Tons 3/8" Max Medium Type A, PG 64-16	\$76.50
Item B.	1,000 Tons 1/2" Max Medium Type A, PG 64-16	\$72.19

E-4 Adopted Resolution No. 2008-101 awarding the annual contract for curb, gutter, and sidewalk replacement to Popuch Concrete Contracting, of Lodi, in the amount of \$79,055.

E-5 Adopted Resolution No. 2008-102 awarding the purchase of a replacement hydraulic underground cable puller to the lowest responsive bidder, AllQuip Universal, Inc., of West Sacramento, CA, in the amount of \$87,945.14.

E-6 Adopted Resolution No. 2008-103 ratifying the San Joaquin Council of Governments' Annual Financial Plan for Fiscal Year 2008-09.

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F. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- Esperanza Ortiz spoke in regard to her taco truck business, located near El Camino Tires, being stopped from operating last Monday by the City due to the lack of parking spaces. She requested her family be allowed to operate the business in the afternoons because it is their livelihood and they have received no complaints from the community. In response to Mayor Pro Tempore Hansen, Ms. Ortiz stated the business had been at the current location for one year and she was present at the Council meeting where mobile food vending was discussed. Mr. King stated staff will research the matter and respond to Ms. Ortiz. Mr. King also stated that the general matter of mobile food vendors may be coming back for Council consideration in light of interpretation concerns of certain provisions in the ordinance.
- Bruce Gallaude, General Manager of the Grape Sox, invited the public and the City Council to the season opener on Friday night. He also thanked staff for their assistance and provided an overview of ticket prices for the various seating options. In response to Mayor Pro Tempore Hansen, Mr. Gallaude stated the Grape Sox is minor league style baseball featuring upcoming talent that may go to the pros. He stated he believed that improvements to the clubhouse and Zupo Field will benefit the area surrounding the Grape Bowl.

G. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

- Mayor Pro Tempore Hansen reported on his attendance at the San Joaquin County Blue Print meeting at the Lodi Library, stating the matter will come before the City Council for consideration in the future and there is a strong community outreach program in place as well. He also reported on his attendance at the Northern California Power Agency Commission meeting and the San Joaquin Council of Governments meeting where the Board approved the Smart Growth parameters for Measure K renewal for approximately \$60 million for funding to different communities to enhance old neighborhoods and downtowns.

H. COMMENTS BY THE CITY MANAGER ON NON-AGENDA ITEMS

- City Manager King provided a brief history and update regarding the mobile food vendor ordinance. He specifically discussed ordinance adoption, the basic structure including an operating permit, certain information provided by vendors in the application process, notice provided to vendors, the lack of application initially, operations allowed while pursuing the permit process, several vendors not meeting standards of the ordinance, and the ordinance coming back for Council consideration in light of interpretation concerns. In response to Council Member Hitchcock, Mr. King stated the biggest issue initially was that vendors did not submit applications. He stated he was not aware of any specific denials or the reasons for the same.

I. PUBLIC HEARINGS

None.

J. COMMUNICATIONS

J-1 Claims Filed Against the City of Lodi – None

J-2 Appointments – None

J-3 Miscellaneous – None

K. REGULAR CALENDAR

K-1 “Report on 2008 Lodi Solar Rebate Pilot Project: Implementation of Project, Customer Participation and Solar System Installation Permit Fees”

City Manager King provided a brief introduction to the subject matter of the Lodi Solar Rebate Pilot Program.

Electric Utility Customer Service and Program Manager Rob Lechner provided a PowerPoint presentation regarding the 2008 Lodi Solar Rebate Pilot Project. Specific topics of discussion included an overview of Senate Bill 1, the fiscal year 2009 budget, customer participation, marketing and customer outreach, solar permit fees, the next steps, and program information.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated staff was confident that some monies would be spent in the first few years, but because of the decrease in the cost of install and materials, the entire funding pot for residential is spoken for.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated that, if money from one pot is not claimed by November 1, it can be used for the other pot, which is already expended. He stated staff may return to Council to request additional funds over the \$600,000 already dedicated to be put into the residential pot.

In response to Council Member Hitchcock, Mr. Lechner stated the decrease by the year 2015 is based on the hope that the demand for the program itself will drive the labor and materials costs down.

In response to Council Member Hitchcock, Mr. Lechner stated the Council could put a greater amount of money into the program on the front end or change the price per watt as well. He stated staff will continue to watch the commercial side and may come back to Council accordingly.

In response to Council Member Katzakian, Mr. Lechner stated the typical residential size is three to five kilowatt, which is about 50% usage from the sun.

In response to Council Member Katzakian, Mr. Lechner stated the current cost is approximately \$8,000 per watt.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated another rebate he is aware of is a possible \$2,000 federal tax credit; although, it may have some limitations.

MOTION / VOTE:

There was no Council action taken on this matter.

- K-2 "Adopt Resolution Authorizing the City Manager to Allocate Public Benefit Program Funds for Seven Energy Efficiency Rebate or Related Programs for the 2008-09 Fiscal Year (\$440,000)"

Electric Utility Customer Service and Program Manager Rob Lechner provided a PowerPoint presentation regarding the Lodi public benefit programs for seven programs. Specific topics of discussion included an overview, legal requirements, fiscal year 2009 budget, Lodi Appliance Rebate Program, Energy Efficient Home Improvement Rebate Program, commercial rebate programs, commercial/industrial rebate program, municipal energy efficiency and miscellaneous projects, evaluation, measurement and verification project, summary, fine print, and program contact information.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated anyone can apply for these programs and there are no restrictions based on income. He stated the applicant does have to participate in a systems test to ensure compatibility with the new equipment.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated the initial response to the program was strong and it has reached some point of saturation, which is an issue all electric utilities are facing. He stated staff continues to advertise and do public outreach.

In response to Council Member Hitchcock, Mr. Lechner stated the approximately \$289,000 difference includes the required assessment, salary, and benefits for two employees, car costs, program administration costs, and overhead.

In response to Mayor Pro Tempore Hansen, Mr. Lechner confirmed that the program is an unfunded State mandate.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Katzakian second, adopted Resolution No. 2008-104 authorizing the City Manager to allocate Public Benefit Program funds for seven energy efficiency rebate or related programs for the 2008-09 fiscal year in an amount not to exceed \$440,000. The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Katzakian, Mayor Pro Tempore Hansen

Noes: Council Members – None

Absent: Council Members – Johnson and Mayor Mounce



- K-3 "Adopt Resolution Authorizing the City Manager to Allocate \$82,500 in Public Benefit Program Funds for Five Programs; and Authorize the City Manager to Execute Contracts with Four Different Entities to Assist in Managing These Programs"

Electric Utility Customer Service and Program Manager Rob Lechner provided a PowerPoint presentation regarding the Lodi public benefit programs for five programs. Specific topics of discussion included an overview, Lodi Livingwise Program, Lodi Solar Schoolhouse Project, Online Energy Audit Program, SHARE Customer Verification and Certification Project, Lodi CARE Package Program, fine print, and program contact information.

In response to Mayor Pro Tempore Hansen, Mr. Lechner stated the overall Online Energy Audit Program includes a series of questions regarding energy use patterns, provides an audit report, provides suggestions and tips, and is a good connection with Senate Bill 1.

In response to Council Member Hitchcock, Mr. Lechner stated there are two different energy audits. He stated one is an online audit and one is a more detailed and personalized audit where an Electric Utility employee physically visits the homeowner at the home and performs an audit.

Council Member Hitchcock and Mayor Pro Tempore Hansen commended Mr. Lechner on the presentation and his efforts with the program. Mayor Pro Tempore Hansen also commended the Salvation Army on its efforts in connection with the same.

Mr. King stated the SHARE and CARE programs also make good business sense because they reduce the costs for collections, turnoffs, and reconnections and encourage payment in cases where some individuals may not have the ability to pay.

MOTION / VOTE:

The City Council, on motion of Council Member Hitchcock, Katzakian second, adopted Resolution No. 2008-105 authorizing the City Manager to allocate \$82,500 in Public Benefit Program funds for five programs; and authorized the City Manager to execute contracts with four different entities to assist in managing these programs. The motion carried by the following vote:

Ayes: Council Members – Hitchcock, Katzakian, Mayor Pro Tempore Hansen

Noes: Council Members – None

Absent: Council Members – Johnson and Mayor Mounce

L. ORDINANCES

None.

M. ADJOURNMENT

There being no further business to come before the City Council, the meeting was adjourned at 8:26 p.m.

ATTEST:

Randi Johl  
City Clerk

**CITY OF LODI  
INFORMAL INFORMATIONAL MEETING  
"SHIRTSLEEVE" SESSION  
CARNEGIE FORUM, 305 WEST PINE STREET  
TUESDAY, JUNE 10, 2008**

The June 10, 2008, Informal Informational Meeting ("Shirtsleeve" Session) of the Lodi City Council was canceled.

ATTEST:

Jennifer M. Perrin  
Deputy City Clerk